

12-17-03

**WORKMAN  
NYDEGGER**  
ATTORNEYS AT LAW  
A PROFESSIONAL CORPORATION  
1000 EAGLE GATE TOWER  
160 EAST SOUTH TEMPLE  
SALT LAKE CITY, UTAH 84111  
TELEPHONE (801) 533-9800  
FACSIMILE (801) 328-1707

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RICK D. NYDEGGER  
BRENT P. LORIMER  
THOMAS R. VUKSINICK  
LARRY R. LAYCOCK  
JONATHAN W. RICHARDS  
DAVID R. WRIGHT  
JOHN C. STRINGHAM  
JOHN M. GUYNN  
CHARLES L. ROBERTS  
DANA L. TANGREN  
ERIC L. MASCHOFF  
CHARLES J. VEVERKA  
ROBYN L. PHILLIPS  
RICHARD C. GILMORE†  
STERLING A. BRENNAN†  
GREGORY M. TAYLOR  
DAVID B. DELLENBACH  
R. BURNS ISRAELSEN  
DAVID R. TODD  
L. DAVID GRIFFIN  
ADRIAN J. LEE  
FRASER D. ROY  
CARL T. REED

R. PARRISH FREEMAN, JR.  
PETER F. MALEN, JR.  
L. REX SEARS, PH.D.  
ERIC M. KAMERATH  
ROBERT E. AYCOCK  
JENS C. JENKINS  
KEVIN W. STINGER  
WILLIAM J. ATHAY  
MICHAEL B. DODD  
WILLIAM R. RICHTER  
RYAN D. BENSON  
SARA D. JONES  
TIGE KELLER  
JANNA L. JENSEN  
MATTHEW D. TODD  
J. LAVAR OLDHAM  
MICHAEL J. FRODSHAM  
JOSEPH L. KRUPA  
BRETT A. HANSEN  
BRETT I. JOHNSON  
MATTHEW A. BARLOW  
WESLEY C. ROSANDER  
ANDREW S. HANSEN  
CHAD E. NYDEGGER  
JOSEPH G. PIA  
CLINTON E. DUKE

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MAILING ADDRESS:  
P.O. BOX 45862  
SALT LAKE CITY, UT 84145

INTERNET  
HOME PAGE: <http://www.wnpatent.com>  
GENERAL E-MAIL: [info@wnpatent.com](mailto:info@wnpatent.com)

† ADMITTED ONLY IN CALIFORNIA

EXPRESS MAIL LABEL NO.: EV 329 632 934 US

PATENT APPLICATION  
Docket No.: 7678.762

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- ☒ Form PTO-1449 list of seventeen (17) references submitted for consideration.
- ☐ Legible copies of the listed references or their relevant portions.
- ☐ All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

\_\_\_ Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.

\_\_\_ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.

\_\_\_ Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

\_\_\_ Legible Copies of previously filed Information Disclosure Statement for application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

\_\_\_ Promptness Certification.


\_\_\_ Check No. \_\_\_\_\_ in the amount of \$240.00 constituting submission fee under 37 C.F.R. 1.17(p);

\_\_\_ Petition for Consideration and Check No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_.

X In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Promptness Certification meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 16<sup>th</sup> day of December, 2003.

Respectfully submitted,

  
RICK D. NYDEGGER  
Attorney for Applicant  
Registration No. 28,651

# PATENT APPLICATION

Docket No.: 7678.762

Docket No.: 7678.762



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary Stout, et al.

Serial No.: 10/627,086

Filed: July 25, 2003

Confirmation No.: 3140

For: **ORTHODONTIC BRACKET PACKAGING  
KITS AND SYSTEMS**

Examiner: Not Yet Known.

Customer No.: 022913

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

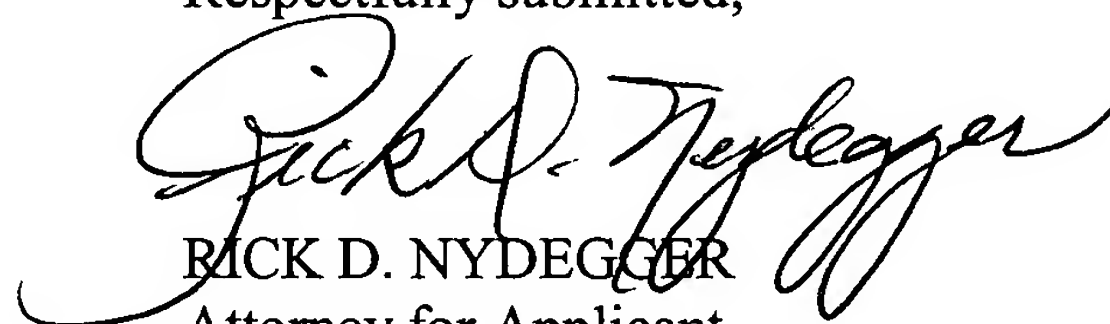
Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

Dated this 16<sup>th</sup> day of December, 2003.

Respectfully submitted,

  
RICK D. NYDEGGER  
Attorney for Applicant  
Registration No. 28,651

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EXPRESS MAIL LABEL NO.: EV 329 632 934 US

Form PTO-1449

Sheet 1 of 3

Applicant: Gary Stout, et al.

Serial No.: 10,627,086

Att'y Docket No.: 7678.762

Filing Date: July 25, 2003

Group: 3732

Confirmation No.: 3140

For: ORTHODONTIC BRACKET PACKAGING KITS AND SYSTEMS

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INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>	<u>Class</u>	<u>Sub Class</u>	<u>Filing Date</u>
_____ A1.	4,978,007	12/18/90	Jacobs, et al.	206	469	05/10/89
_____ A2.	4,979,611	12/25/90	Bolliger, et al.	206	83	11/16/89
_____ A3.	5,221,202	06/22/93	James	433	9	04/17/92
_____ A4.	5,328,363	07/12/94	Chester, et al.	433	9	04/22/93
_____ A5.	5,429,229	07/04/95	Chester, et al.	206	63.5	04/11/94
_____ A6.	5,538,129	07/23/96	Chester, et al.	206	63.5	03/21/95
_____ A7.	5,542,844	08/06/96	Perret, Jr.	433	9	10/13/94
_____ A8.	5,575,645	11/19/96	Jacobs, et al.	433	9	07/15/94
_____ A9.	5,756,174	05/26/98	Tuneberg	428	40.1	09/20/96
_____ A10.	5,759,028	06/02/98	Bozman	433	9	08/08/96
_____ A11.	5,810,584	09/22/98	Wong	433	9	04/04/97
_____ A12.	5,827,058	10/27/98	Kelly, et al.	433	9	10/08/97

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Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



EXPRESS MAIL LABEL NO.: EV 329 632 934 US

Form PTO-1449

Sheet 2 of 3

Applicant: Gary Stout, et al.

Serial No.: 10,627,086

Att'y Docket No.: 7678.762

Filing Date: July 25, 2003

Group: 3732

Confirmation No.: 3140

For: ORTHODONTIC BRACKET PACKAGING KITS AND SYSTEMS

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_____ A13.	6,220,857	04/24/01	Abels	433	8	03/18/99
_____ A14.	6,347,939	02/19/02	Abels	433	10	04/23/01
_____ A15.	6,482,003	11/19/02	Dixon, et al.	433	9	04/03/01

U.S. Patent Application Publication Documents

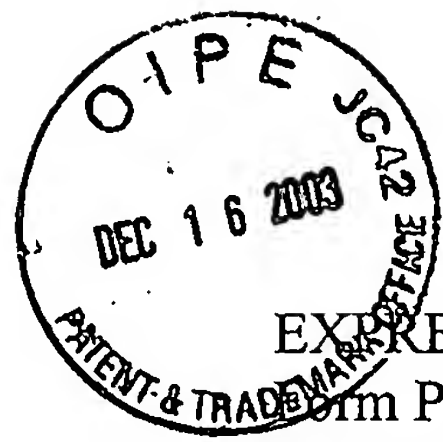
<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Publication Date</u>	<u>Name</u>	<u>Class</u>	<u>Sub Class</u>	<u>Filing Date</u>
_____ A16.	US 2001/0029007	10/11/01	Abels	433	10	04/23/01
_____ A17.	US 2002/0195363	12/26/02	Tuneberg	206	368	06/20/02

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Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



EXPRESS MAIL LABEL NO.: EV 329 632 934 US

Form PTO-1449

Sheet 3 of 3

Applicant: Gary Stout, et al.

Serial No.: 10,627,086

Att'y Docket No.: 7678.762

Filing Date: July 25, 2003

Group: 3732

Confirmation No.: 3140

For: ORTHODONTIC BRACKET PACKAGING KITS AND SYSTEMS

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### References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

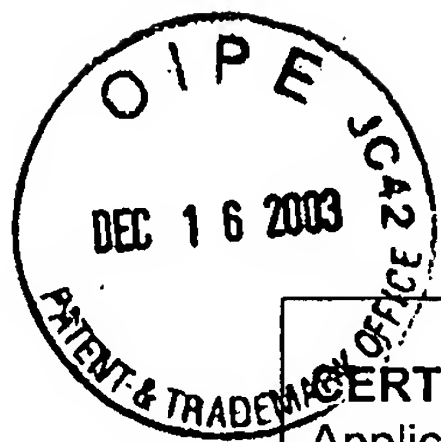
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Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Gary Stout, et al.

Docket No.  
7678.762Serial No.  
10/627,088Filing Date  
July 25, 2003Confirmation No.  
3140Examiner  
Not Yet KnownGroup Art Unit  
3732

Invention: ORTHODONTIC BRACKET PACKAGING KITS AND SYSTEMS

I hereby certify that the Transmittal letter (2 pages) (in triplicate); Information Disclosure Statement (2 pgs); Form PTO-1449 Listing all Cited References (3 pgs); and postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 16, 2003.

Kendell Steele

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(Typed or Printed Name of Person Mailing  
Correspondence)



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(Signature of Person Mailing Correspondence)

**EV 329 632 934 US**

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